



Chesterfield County, Virginia

Memorandum

DATE: AUGUST 25, 2003

TO: CHESTERFIELD COUNTY PLANNING COMMISSION

FROM: THOMAS E. JACOBSON, DIRECTOR OF PLANNING *Tom*

SUBJECT: ZONING ORDINANCE AMENDMENT RELATIVE TO SIGNS IN THE RIGHT OF WAY

RECOMMENDATION:

If the Commission wishes to allow signs to be placed on land dedicated to the County for future road widening, Staff recommends adoption of the ordinance amendment shown in Attachment B.

BACKGROUND:

At Mr. McHale's request, the Board of Supervisors sent the zoning ordinance amendment shown in Attachment A to the Planning Commission for your public hearing and recommendation.

The zoning ordinance currently permits signs within the ultimate road right of way if the County has not acquired the right of way. Signs are not currently permitted within the ultimate right of way after the County has acquired the right of way.

Commercial developers typically dedicate the ultimate road right of way to the County, which can cause their signs to be moved farther from the road. In some cases, this greater setback, combined with requirements to maintain trees along the property frontage, reduces visibility of project identification signs.

The proposed ordinance amendment establishes a process to allow signs to be placed in the County owned ultimate road right of way with the requirement that the sign must be relocated at no cost to the County or State.

If the amendment is adopted and the County has acquired the ultimate right of way, a property owner could apply for a license to use the County property for their sign. Through the license process, County staff would review the request and, based on traffic safety, anticipated road construction time and other factors, would make a recommendation relative to granting the license. The Board of Supervisors would make the final decision after holding a public hearing on the request.

This amendment will allow additional signs to be placed within the ultimate road right of way. At such time as roads are widened, property owners will be required to relocate those signs at their cost. Some owners may be reluctant to pay this cost, which would create additional work for CDOT, VDOT and/or Planning.

To minimize this potential, staff has prepared an alternate to the ordinance forwarded from the Board of Supervisors. This alternate would only apply to office, commercial, industrial and mixed-use projects only. The alternate would prohibit subdivision entrance signs, typically owned by homeowners associations, from being located on County owned property.

If you have any questions about this amendment, please feel free to contact Bill Poole at 748-1053.

2 attachments

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING AND RE-ENACTING SECTION 19-636 RELATING TO SIGN DESIGN AND SETBACK REQUIREMENTS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 19-636 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:

Sec. 19-636. Sign design and setback requirements.

(a) With the exception of signs permitted to be placed in the right-of-way pursuant to section 19-635(f), all signs, including directional signs, shall be set back a minimum of 15 feet from all property lines, unless a greater setback is specified by conditions of zoning, approved site or subdivision plans, or by this chapter.

(b) Along public rights-of-way, the setback may be reduced to a minimum of 20 feet from the edge of the pavement or the face of curb, but in no case shall the sign be set back less than one foot from the property line, provided the sign shall be relocated to conform to the requirements herein at the time the adjacent road is widened.

(c) Within any village district, the sign setback shall be five feet from the right-of-way line.

(d) Along roads which have proposed right-of-way expansion, as delineated in the comprehensive plan, if such right-of-way has not been acquired, signs may be located within the proposed right-of-way, provided the sign shall be relocated to conform to the setback requirements upon acquisition of the right-of-way.

(e) Along roads where the right-of-way for future expansion has been acquired by the county, signs may be placed within the right-of-way subject to a license approved by the board of supervisors. The license shall require the owner of the sign to relocate the sign to conform to the setback requirements of the zoning ordinance at no cost to the county or state upon request of the county or state.

(~~e~~) (f) Landscaping: Except for new signs within paved areas, existing as of April 25, 2001, grass, live groundcover, shrubs and trees consistent with other plantings shall be provided around each individual permanent freestanding sign. The landscaping required by this section shall be depicted on the site or landscaping plans.

(~~f~~) (g) Illumination.

(1) External lighting shall be limited to white lighting and shall not be blinking, fluctuating or moving. External lighting shall be provided by concealed and/or screened spots or floods and shall be arranged and installed so as not to cause

glare ~~in an~~ any adjoining R, R-TH, R-MF or A district or public right-of-way. If external lighting is used, the sign shall not be internally illuminated. However, incidental lighting of buildings shall not be considered to be external lighting of signage.

- (2) Internal lighting shall be contained within translucent copy and internally illuminated sign boxes, provided the area illuminated for sign boxes is restricted to the sign face only. The illumination shall not cause glare on any adjoining R, R-TH, R-MF or A district or public right-of-way. If internal illumination is used, external lighting shall not be allowed. However, incidental lighting of buildings shall not be considered to be external lighting of signage.
 - (3) School and church signs located in residential or agricultural districts shall not be illuminated between the hours of 10 p.m. and 6 a.m., subject to section 19-500.
- (2) *That this ordinance shall become effective immediately upon adoption.*

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BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) *That Section 19-636 of the Code of the County of Chesterfield, 1997, as amended, is amended and re-enacted to read as follows:*

Sec. 19-636. Sign design and setback requirements.

(a) With the exception of signs permitted to be placed in the right-of-way pursuant to sections 19-635(f) and 19-636(e), all signs, including directional signs, shall be set back a minimum of 15 feet from all property lines, unless a greater setback is specified by conditions of zoning, approved site or subdivision plans, or by this chapter.

(b) Along public rights-of-way, the setback may be reduced to a minimum of 20 feet from the edge of the pavement or the face of curb, but, except as permitted in section 19-636(e), ~~in no case shall the sign shall~~ be set back less than one foot from the property line, provided the sign shall be relocated to conform to the requirements herein at the time the adjacent road is widened.

(c) Within any village district, the sign setback shall be five feet from the right-of-way line.

(d) Along roads which have proposed right-of-way expansion, as delineated in the comprehensive plan, if such right-of-way has not been acquired, signs may be located within the proposed right-of-way, provided the sign shall be relocated to conform to the setback requirements upon acquisition of the right-of-way.

(e) Along roads where the right-of-way for future expansion, as delineated in the comprehensive plan, has been acquired by the county free and unrestricted, signs for office, commercial, industrial and mixed use projects may be placed within the county owned right-of-way subject to a license approved by the board of supervisors. The license shall require the owner of the sign to relocate the sign to conform to the setback requirements of the zoning ordinance at no cost to the county or state upon request of the county or state.

(f) Landscaping: Except for new signs within paved areas, existing as of April 25, 2001, grass, live groundcover, shrubs and trees consistent with other plantings shall be provided around each individual permanent freestanding sign. The landscaping required by this section shall be depicted on the site or landscaping plans.

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Exhibit B

- (1) External lighting shall be limited to white lighting and shall not be blinking, fluctuating or moving. External lighting shall be provided by concealed and/or screened spots or floods and shall be arranged and installed so as not to cause glare in ~~an~~ any adjoining R, R-TH, R-MF or A district or public right-of-way. If external lighting is used, the sign shall not be internally illuminated. However, incidental lighting of buildings shall not be considered to be external lighting of signage.
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